

**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-3 and 5-7 are pending. Claims 4 and 8 have been canceled without prejudice or disclaimer of subject matter. Claims 1-2 and 5-6, which are independent, are amended in this paper. Support for this amendment is provided throughout the Specification, specifically at page 13.

No new matter has been introduced. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

**II. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1-3 and 7 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent No. 6,675,385 to Wang (hereinafter, merely “Wang”) in view of U.S. Patent No. 5,930,493 to Ottesen et al. (“Ottesen”) and further in view of U.S. Patent No. 5,978,043 to Blonstein et al. (hereinafter, merely “Blonstein”) and in further view of U.S. Patent No. 6,898,762 to Ellis et al. (hereinafter, merely “Ellis”). Claims 5 and 6 were rejected as allegedly unpatentable over Wang in view of Blonstein and further in view of Ellis.

### III. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

“A transmitting apparatus for transmitting contents data and corresponding meta data over a network, comprising:

...meta data combining means for combining the corresponding meta data and segmentation information for the segmented contents data corresponding to the meta data schema.

...wherein the receiving apparatus updates the meta data schema according to a user's favorite and transmits the updated meta schema to a transmitting apparatus before receiving the meta data so that the meta data is selectively delivered based on the updated meta data schema.” (Emphasis added)

Applicants respectfully submit that none of the cited references teach or suggest the above identified features of claim 1. Specifically, none of Wang, Ottesen, Blonstein, and Ellis, considered either alone or in combination, teach or suggest meta data combining means for combining the corresponding meta data and segmentation information for the segmented contents data corresponding to the meta data schema, and wherein the receiving apparatus updates the meta data schema according to a user's favorite and transmits the updated meta schema to a transmitting apparatus before receiving the meta data so that the meta data is selectively delivered based on the updated meta data schema, as recited in claim 1.

Indeed, claim 1 recites that the meta data information of a segmented contents data is combined corresponding to the meta data information schema. Claim 1 further recites that, when the meta data schema is updated, the meta information combined to the segmented contents data is also updated. According to the above identified features, a user is allowed to receive more or less meta data of a same segmented contents data.

The Office Action (see page 6) relies on column 2, lines 16-30 of Ellis to reject wherein the receiving apparatus updates the meta data schema according to a user's favorite and transmits the updated meta schema to a transmitting apparatus before receiving the meta data so that the meta data is selectively delivered based on the updated meta data schema, as recited in claim 1. The cited portion of Ellis describes:

“Providing program guide data with a program guide server and storing user data on the server may provide users with opportunities to perform various functions that may enhance the users' television viewing experience. Users may, for example, set user preference profiles or other favorites that are stored by the program guide server and used by the server to customize the program guide viewing experience for the user. The program guide server may filter program guide data based on the user preference profiles. Only data that is of interest to the user may then be provided to the guide client, thereby tending to minimize the memory requirements of the user's television equipment and lessen the bandwidth requirements of the local distribution network.” (See Ellis column 2)

As understood by Applicants, Ellis adds or removes the meta data according to user profiles, which is directed to user's preference of programs. Therefore, Ellis selects meta data according to programs preferred by a user. In contrast, this claimed invention selects meta data according to meta schema preferred by a user and allows a user to receive more or less meta data of a same segmented contents data. However, a user of Ellis cannot receive meta data of a program not preferred by the user.

For at least the foregoing reasons, Applicants respectfully submit that claim 1 is patentable.

Claims 2 and 5-6 are similar, or somewhat similar, in scope to claim 1, and are therefore patentable for similar or somewhat similar reasons.

#### **IV. DEPENDENT CLAIMS**

Claims 3 and 7 in this application are each dependent from one of the independent claims discussed above and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.

#### **CONCLUSION**

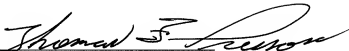
In view of the foregoing amendments and remarks, Applicants respectfully submit that all of the claims are in condition for allowance and request early passage to issue of the present application.

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any  
overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By 

Thomas F. Presson  
Reg. No. 41,442  
Ph: (212) 588-0800  
Fax: (212) 588-0500